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October 27, 2020

**VIA ECF**

Honorable Judge Steven M. Gold  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Government Employees Ins. Co., et al. v. Axial Chiropractic PC, et al.*  
Docket No. 1:19-cv-05570(ENV)(SMG)  
RR File No.: 005100-02814

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Dear Judge Gold:

This firm represents Plaintiffs Government Employees Insurance Company, GEICO Indemnity Company, GEICO General Insurance Company, and GEICO Casualty Company (collectively "Plaintiffs" or "GEICO") in connection with the above-referenced matter. Together with counsel for Defendants Bruce Bromberg, D.C., Axial Chiropractic P.C., Action Chiropractic P.C., Glenn Rosenberg, D.C., Glenn Rosenberg, D.C., P.C. d/b/a South Shore Spinal Care, Lefcort MUA Chiropractic, P.C., Lawrence Lefcort, D.C., and Robert Luca, D.C. (collectively, the "Defendants" and with Plaintiffs, the "Parties") we jointly and respectfully submit this proposed case management order in advance of the upcoming November 10, 2020 conference before Your Honor.

In particular, the Parties propose the following case management schedule:

- (i) Fact discovery deadline: January 4, 2021
- (ii) Deadline for service of Plaintiffs' expert reports: March 4, 2021
- (iii) Deadline for service of Defendants' expert reports: April 12, 2021
- (iv) Expert discovery deadline, including depositions: June 4, 2021

There is good cause for entry of a case management order adopting these proposed deadlines. First, the Parties are currently working to complete depositions in this action. Although the Parties have made progress in this regard, given the delays attendant to counsel for Defendant Robert Luca's personal matters (D.E. 67), depositions may not conclude until mid-December. The proposed case management schedule will allow the Parties sufficient time to complete fact discovery, and accounts for potential delays in expert discovery around the holidays. In short, this schedule will allow the Parties the opportunity to properly prepare this matter for trial, should it proceed to that point.



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As such, the Parties respectfully request that the Court adopt the proposed case management schedule. We thank the Court for its time and continuing attention to this matter.

Respectfully submitted,

RIVKIN RADLER LLP

*/s/ Steven T. Henesy*  
Steven T. Henesy

Cc: All counsel of record (*via* ECF).